

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS SHIMMEL,

Plaintiff,

Case No. 1:21-cv-358

v.

Hon. Hala Y. Jarbou

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER

For the reasons stated in the opinion entered this date:

IT IS ORDERED that the Report and Recommendation of the magistrate judge (ECF No. 49) is **REJECTED**.

IT IS FURTHER ORDERED that the motion by Defendants Farago and Rutowski for dismissal and/or summary judgment (ECF No. 42) is **GRANTED** as set forth in the Court's opinion.

IT IS FURTHER ORDERED that Defendant Farago is **DISMISSED** because the complaint fails to state a claim against him and he is entitled to qualified immunity.

IT IS FURTHER ORDERED that Defendant Rutowski is **DISMISSED** because she is entitled to summary judgment.

Dated: March 20, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE